



Issuance Date: March 3, 2005
Effective Date: April 1, 2005
Expiration Date: June 30, 2009

STATE WASTE DISCHARGE PERMIT NUMBER ST 6064

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
SOUTHWEST REGIONAL OFFICE

In compliance with the provisions of the
State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington, as amended,
authorizes

Starkel Poultry, Inc.

P.O. Box 73340

Puyallup, WA 98373-0340

to discharge wastewater in accordance with the special and general conditions which follow.

Facility Location:

10524 – 128th Street East
Puyallup, WA 98374

Industry Type

Poultry Processing

SIC Code:

2015

Discharge Location:

Legal Description : Township 18N, Range 4E,
Section 17, NW $\frac{1}{4}$, NE $\frac{1}{4}$

Latitude: 47° 18' xx" N

Longitude: 122° 22' xx" W

Kelly Susewind, P.E., P.G.
Southwest Region Manager
Water Quality Program
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A	Discharge Monitoring Report	Quarterly	July 15, 2005
S4.A	Operations and Maintenance Manual Update	1/permit cycle	January 2, 2009, if no modifications have been submitted during this permit cycle
S4.A	Modified Operations and Maintenance Manual or Review Confirmation Letter	Annually	January 2, 2006
S5.C	Solid Waste Control Plan	1/permit cycle	January 2, 2009, if no modifications have been submitted during this permit cycle
S5.C	Modified Solid Waste Control Plan	As necessary	Within 30 days of modification
S6	Spill Plan	1/permit cycle	January 2, 2009 if no modifications have been submitted during this permit cycle
S6	Modified Spill Plan	As necessary	Within 30 days of modification
S8	Irrigation and Crop Management Plan	1/year	December 31, 2005
G7	Application for permit renewal	1/permit cycle	January 2, 2009

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to apply wastewater to land via spray irrigation at agronomic rates, at rates specified in the facility's annual irrigation and crop management plan or as required by the Department of Ecology (Department), whichever is more limiting, on the following designated irrigation lands:

Approximately 113 acres located approximately 4 miles south of the City of Puyallup, east of Meridian Avenue East, and the NW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 17 of Township 18N, Range 4E Willamete Meridian.

Land application is limited to field numbers 1, 2, 3, 4, 6, 7, and 8 as shown in Figure 1 of this permit.

Total nitrogen and water applied to the irrigation lands shall not exceed the crop requirements as determined by the Permittee's Irrigation and Crop Management Plan, Special Condition S8. Hydraulic loading, oil and grease, and organic loading to the land application site shall also be at agronomic rates.

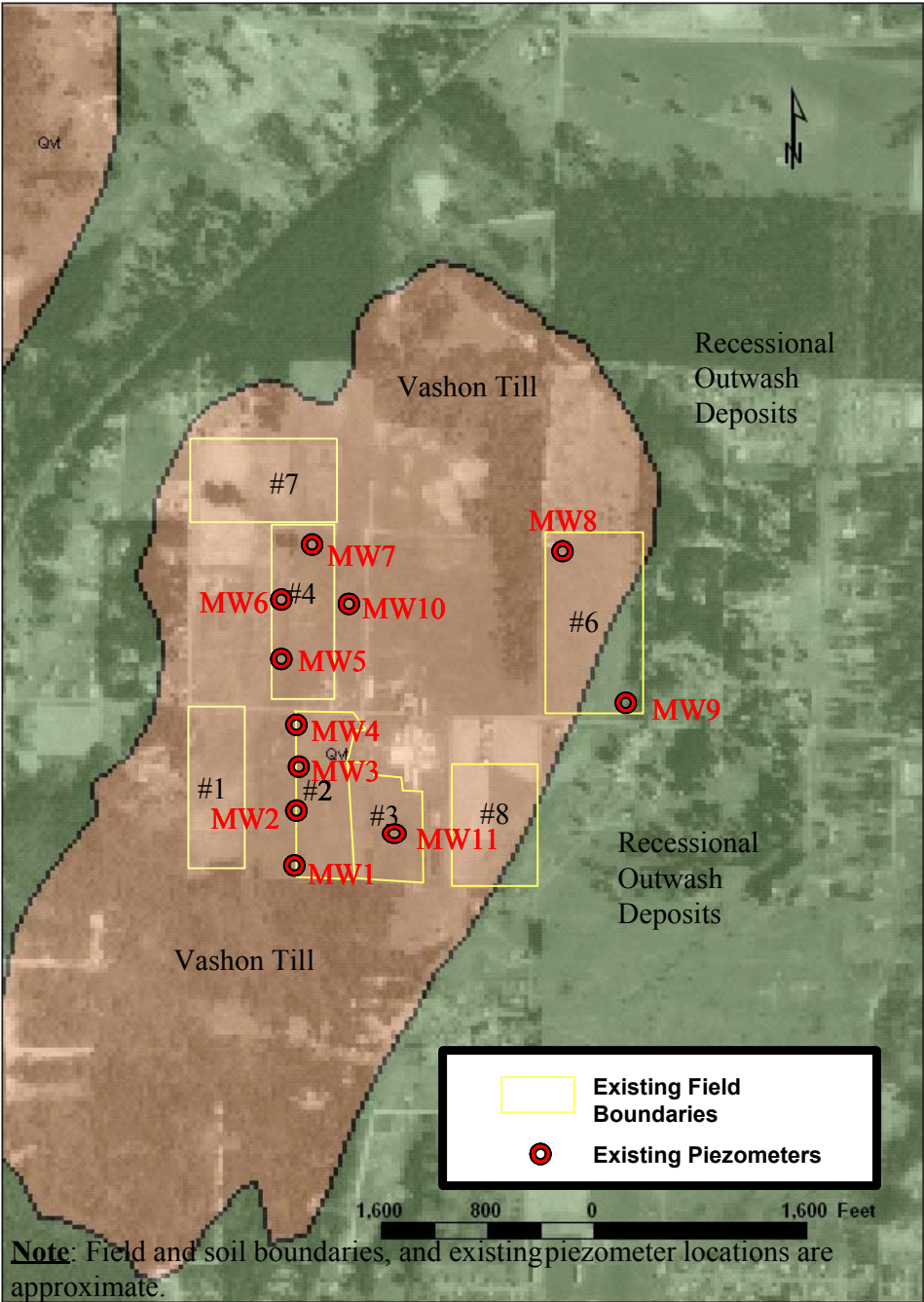


Figure 1. Starkel Poultry Land Application Restrictions.

S2. MONITORING REQUIREMENTS

A. Wastewater Monitoring

The sampling point for the effluent from the holding pond will be prior to discharging into the sprayfields. The Permittee shall monitor the wastewater according to the following schedule:

Parameter	Units	Sample Point	Sampling Frequency	Sample Type
Flow	gallons/quarter	pond effluent	continuous	measured
BOD ₅	mg/L	pond effluent	quarterly*	grab
TSS	mg/L	pond effluent	quarterly*	grab
pH	s.u.	pond effluent	quarterly*	grab
TKN (as N)	mg/L	pond effluent	quarterly*	grab
NO ₃ /NO ₂ (as N)	mg/L	pond effluent	quarterly*	grab
NH ₃ (as N)	mg/L	pond effluent	quarterly*	grab
FOG	mg/L	pond effluent	quarterly*	grab
TDS	mg/L	pond effluent	quarterly*	grab
Chlorides	mg/L	pond effluent	quarterly*	grab
Total Coliform	cfu/100 mL	pond effluent	quarterly*	grab

*Quarterly sampling shall take place in February, April, September, and November each year.

B. Ground Water Monitoring

The sampling points for ground water will be at monitoring wells numbered MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13.

The Permittee shall monitor the ground water according to the following schedule:

Parameter	Units	Monitoring Wells	Sampling Frequency	Sample Type
Water Level	Feet	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Measured in Field
pH	S.U.	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Measured in Field
Conductivity	μmho/cm	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Measured in Field

Parameter	Units	Monitoring Wells	Sampling Frequency	Sample Type
TKN (as N)	mg/L	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Grab
NO ₃ /NO ₂ (as N)	mg/L	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Grab
NH ₃ (as N)	mg/L	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Grab
Total Coliform	cfu/100 mL	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Grab
TDS	mg/L	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Grab
Iron (Total)	mg/L	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Grab
Ferrous Iron	Presence or Absence	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Measured in Field
Chloride	mg/L	MW1, MW4, MW7, MW8, MW9, MW10, MW12, and MW13	Quarterly*	Grab

*Quarterly sampling shall take place in February, April, September, and November each year.

C. Soil Monitoring

The Permittee shall perform soil monitoring on the irrigated lands once per year (at the end of the growing season and, if possible, before the rainy season begins). These sampling sites shall be located so as to be representative of each irrigation site or as represented in the crop management plan. If possible, sampling sites shall remain in the same vicinity from year to year. Results shall be submitted annually with the annual Irrigation and Crop Management Plan (refer to Special Condition S8).

Composite samples will be for a minimum of five cores per irrigation field that are 0-12" deep. Samples will be collected at a time that best represents soil conditions at the end of the crop growing season.

The Permittee shall monitor the soils according to the following schedule:

Parameter	Units	Sampling Frequency	Sample Type
TKN (as N)	mg/Kg	Yearly	grab
NO ₃ (as N)	mg/Kg	Yearly	grab
NH ₃ (as N)	mg/Kg	Yearly	grab
Infiltration capacity	inch/hour	Yearly	measured
pH	S.U.	Yearly	grab

Soil monitoring results are not required to be submitted in the quarterly Discharge Monitoring Reports. The soil monitoring results are required to be submitted as part of the Annual Crop and Irrigation Management Plans.

D. Crop Monitoring

The Permittee shall perform crop monitoring on each field once per harvest. Composite samples will be comprised of at least 10 random samples collected from each center-pivot field, and from the handline fields. Crop composite samples shall be analyzed for the following parameters:

Parameter	Units	Sampling Frequency	Sample Type
Crop production	dry tons/ac	Once per harvest	Composite
Moisture content	%	Once per harvest	Composite
TKN (as N)	%	Once per harvest	Composite
NO ₃ (as N)	mg/Kg (dry wt)	Once per harvest	Composite

The Permittee may opt to utilize WSU's methods for collecting crop samples on a monthly basis to determine crop yield. When WSU's methods are used to assess monthly crop yield, the crop will need additional sampling and analysis consistent with the paragraph provided above.

Crop monitoring results are not required to be submitted in the quarterly Discharge Monitoring Reports. The crop monitoring results are required to be submitted as part of the Annual Crop and Irrigation Management Plans.

E. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Ground water sampling shall conform to the latest protocols in the *Implementation Guidance for the Ground Water Quality Standards*, (Ecology 1996).

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department.

All soil analysis and reporting will be in accordance with *Laboratory Procedures*, Soil Testing Laboratory, Washington State University, November 1981.

F. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

G. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 Washington Administrative Code (WAC). Flow, temperature, settleable solids, turbidity, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Crops, soils, and hazardous waste testing have not been included in the accreditation program. Crops, soils, and hazardous waste data shall be provided by a lab accredited for similar parameters in water media.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted quarterly. Monitoring results obtained during the previous three (3) months shall be reported on the quarterly forms as provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. The report(s) shall be sent to:

Industrial Unit Permit Coordinator
Department of Ecology
Southwest Region – Water Quality
P.O. Box 47775
Olympia, WA 98504-7775

Discharge Monitoring Report forms must be submitted quarterly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

Discharge Monitoring Report forms are not required for the soils (Special Condition S2.C) or crop monitoring results (Special Condition S2.D). The results from the soils and crop monitoring is required to be reported as part of the Annual Irrigation and Crop Management Plans.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director of the Department.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2 of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within 30 days after becoming aware of the violation;

3. Immediately notify the Department of the failure to comply; and
4. Submit a detailed written report to the Department within thirty days, unless requested earlier by the Department, describing the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Maintaining a Copy of This Permit

A copy of this permit shall be kept at the facility and be made available upon request to the Department inspectors.

S4. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Operations and Maintenance (O&M) Manual

The O&M Manual shall be reviewed by the Permittee at least annually and the Permittee shall confirm this review by letter to the Department by **January 2nd** of each year. Substantial changes or updates to the O&M Manual shall be submitted to the Department whenever they are incorporated into the manual. If no modifications to the O&M Manual have been made during this permit cycle, then the Permittee shall review and update the O&M Manual and submit it to the Department no later than **January 2, 2009**.

The O&M Manual shall contain the treatment plant process control and groundwater monitoring schedule. All operators shall follow the instructions and procedures of this manual. The approved O&M Manual shall be kept available at the permitted facility.

In addition to the requirements of WAC 173-240-150(1) and (2), the manual shall include:

1. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure;
2. Irrigation system operational controls and procedures;
3. Plant maintenance procedures;
4. Protocols and procedures for ground water monitoring network sampling and testing;

B. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. *Unavoidable Bypass* -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which would cause them to become inoperable, or substantial and permanent loss of natural resources, which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with Condition S3.E "Noncompliance Notification."

2. *Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions* -- Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department at least 30 days before the planned date of bypass. The notice shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Department will consider the following prior to issuing an administrative order:
 - a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
 - b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
 - c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under Revised Code of Washington (RCW) 90.48.120.

3. *Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions* -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

C. Irrigation Land Application

1. There shall be no runoff of wastewater applied to land by spray irrigation to any surface waters of the state or to any land not owned by or under control of the Permittee.
2. The Permittee shall use recognized good practices, and all available and reasonable procedures to control odors from the land application system. When notified by the Department, the Permittee shall implement measures to reduce odors to a reasonable minimum.
3. The wastewater shall not be applied to the irrigation lands in quantities that:
 - a. Significantly reduce or destroy the long-term infiltration rate of the soil.
 - b. Would cause long-term anaerobic conditions in the soil.
 - c. Would cause ponding of wastewater and produce objectionable odors or support insects or vectors.
 - d. Would cause leaching losses of constituents of concern beyond the treatment zone or in excess of the approved design. Constituents of concern are constituents in the wastewater, partial decomposition products, or soil constituents that would alter ground water quality in amounts that would affect current and future beneficial uses.
4. The Permittee shall maintain all irrigation agreements for lands not owned for the duration of the permit cycle. Any reduction in irrigation lands by termination of any irrigation agreements may result in permit modification or revocation. The Permittee shall immediately inform the Department in writing of any proposed changes to existing agreements.

D. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

S5. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter

173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Solid Waste Control Plan

The Permittee shall review the existing Solid Waste Control Plan at least annually and update the Plan as needed. Changes to the Plan shall be sent to the Department within 30 days of the modification. The Plan and any supplements shall be followed throughout the term of the Permit. If no modifications to the Plan have been made during this permit cycle, then the Permittee shall review and update the Solid Waste Control Plan and submit it to the Department no later than **January 2, 2009**.

S6. SPILL PLAN

The Permittee shall review the existing Spill Plan at least annually and update the Spill Plan as needed. Changes to the Plan shall be sent to the Department within 30 days of the modification. The Plan and any supplements shall be followed throughout the term of the Permit. If no modifications to the spill plan have been made during this permit cycle, then the Permittee shall review and update the Spill Plan and submit it to the Department no later than **January 2, 2009**.

Plans and manuals required by 40 CFR Part 112, contingency plans required by Chapter 173-303 WAC, or other plans required by other agencies which meet the intent of this Section may be submitted.

S7. GROUND WATER MONITORING WELLS

The Permittee shall install 2 new groundwater monitoring wells (numbered MW12 and MW13) in accordance with the recommendations contained in the Technical Memorandum from Denis Erickson to John Diamant (August 17, 2004, Department of Ecology). Figure 2 shows the locations of the 2 new groundwater monitoring wells. Well construction shall meet the requirements of Chapters 173-160 and 173-162 WAC. The installation and the commencement of sampling of these new wells shall be within 6 months of the effective date of this permit.

The Permittee shall also either retrofit or replace existing piezometers numbered MW1, MW4, MW7, MW8, MW9, and MW10 in accordance with the groundwater monitoring well construction requirements stated above (refer to Figure 2). The installation and the commencement of sampling of these wells shall be within 6 months of the effective date of this permit.

Proper construction for both the upgraded and the new wells should consist of:

1. 0.010 slotted casing over the depth interval of 3.0 to 4.0 feet.
2. Commercial sand pack in the annular space over the depth interval of 2.5 to 4.0 feet.
3. Bentonite seal in the annular space over the depth interval of 0.5 to 2.5 feet.
4. 2-foot by 2-foot neat cement seal at ground surface.

5. Locking protective outer casing.
6. Permanent well identification tags issued by the Department.
7. Well construction shall meet the requirements of Chapters 173-160 and 173-162 WAC.

Existing piezometers not included in the upgraded monitoring network (MW2, MW3, MW5, MW6, and MW11) should be properly decommissioned within 6 months of the effective date of this permit.

S8. IRRIGATION AND CROP MANAGEMENT PLAN

An Irrigation and Crop Management Plan shall be submitted annually for Department review. The first plan is due by **December 31, 2005**, and subsequent plans are due by December 31st each year thereafter. The plan shall generally conform with *Guidelines for Preparation of Engineering Reports for Industrial Wastewater Land Application Systems*, Ecology 1993. The plan must be prepared by a soil scientist. The plan shall include the elements described in S8A and S8B.

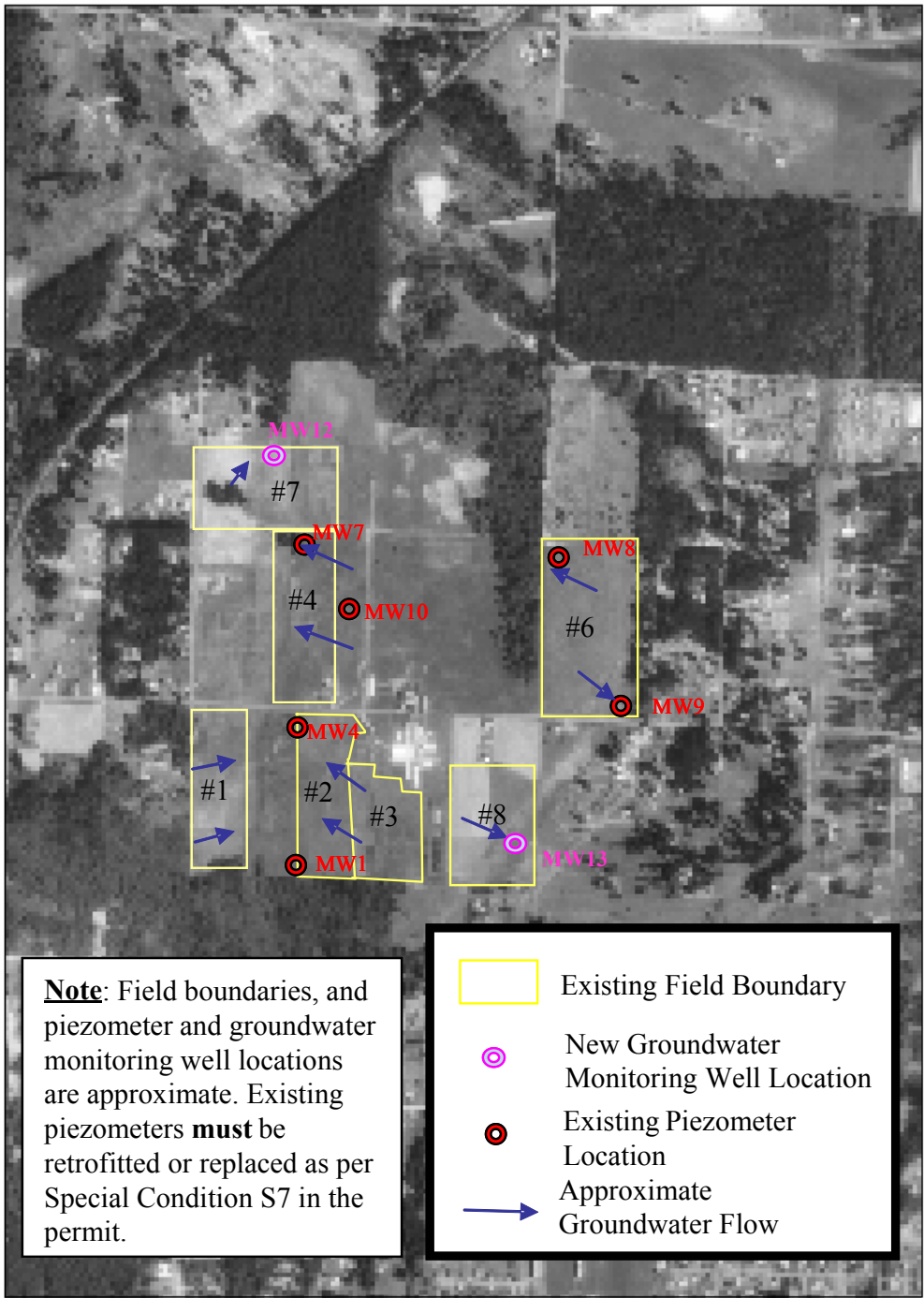


Figure 2. Starkel Poultry New Groundwater Monitoring Network.

A. Annual Summary of Farm Operations for Previous Year

This summary shall include:

1. For each crop grown, the total acreage and quantity harvested.
2. Calculated balances for nitrate/nitrite, TKN, TDS and chloride. The calculations shall include crop consumptive use, process wastewater loadings of nitrate/nitrite, TKN, TDS and chloride, and any contributions from commercial fertilizers applied.
3. Calculated water balance. The calculations shall include irrigation system efficiency and application uniformity, the quantity of supplemental irrigation water and process wastewater applied, crop consumptive use, precipitation, water stored in the soil profile outside the normal growing season, and salt leaching requirements. The frequency of the application should be adjusted for the following season to provide optimum nutrient uptake, minimize leaching and maintain aerobic conditions in the soil.
4. Soil testing results. A summary of the soil testing results shall be submitted and discussed as part of the annual Irrigation and Crop Management Plan.
5. List of any best management practices used to minimize pollutant discharge in general.

B. Cropping Schedule for Upcoming Year

This schedule shall include:

1. Crop Management: The proposed acreage for each crop, cultivation and harvesting requirements, expected crop yields, and methods for establishing a crop, the proposed schedule for crop tillage and replanting; and the proposed schedule for herbicide, pesticide, and fertilizer application.
2. Irrigation Management: The frequency and timing of wastewater and supplemental irrigation water application (including harvest and non-harvest periods), and recommended rest cycles for wastewater application where organic or hydraulic loading is a concern.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization, and
 - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under General Condition G1.B.2 (above) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or private for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection. Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal by **January 2, 2009**.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner; and
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to General Condition G8.A. (above), this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G10. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to \$10,000 and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to \$10,000 for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.